

Brentwood Board of Adjustment
1 Dalton Road
Brentwood, NH 03833
Minutes, February 10, 2014

Members Present: Michael Hureau, Chairman
Andrew Artimovich

Ken Christiansen
Bruce Stevens, Alternate

Chairman Hureau declared the meeting open at 7:00 pm and introduced the members of the Board.

Public Hearings

DWL Builders LLC – request for a Special Exception – tax map 206.074

Applicant seeks a Special Exception from the Brentwood Zoning and Land Use Document, under Article 600.002 and following the special criteria found in Articles 800.013.002.001 & 800.013.002.002, from articles 300.002.006.006 & 300.002.006.007 for permission to allow the reconstruction of a two unit residential structure on property located at 147 Deer Hill Road.

Hureau read the legal notice, the list of abutters notified, and the legal description of a Special Exception. Scott Gove spoke on behalf of the applicant this evening. Also present were property owner Matthew Bergeron, Dave Losie of DWL Builders, LLC, and abutters Mary Robertson and Paulette Rose.

Gove said they need a Special Exception because the footprint of the proposed structure will be about 50 square feet larger than the existing footprint. There is currently a three unit apartment building on the site. The new building will be set back and will meet both front and side setbacks. There was discussion on the number of units within the existing structure, whether two or three, but Gove said they are proposing to demolish the existing and replace with a two unit structure. All out-buildings will be removed. Abutter Paulette Rose said at one time this was her family homestead, and while she was sad to see it torn down, she understands it is in bad shape and supports this application. Abutter Mary Robertson also supports this.

Motion made by Cowie, 2nd by Christiansen to give Stevens voting rights: all were in favor.

Having no further discussion worksheets were given to members, who voted unanimously to grant the Special Exception. Hureau signed the decision form, granting the Special Exception and Gove thanked the Board for their time this evening.

Jones and Beach Engineers, Inc: Variance – tax map 204.003

Applicant requests a variance from Article 700.002.006.002 of the Brentwood Zoning and Land Use Document, to allow an additional wetland buffer impact on property located at 67 Rte 27, referenced by tax map 204.003.

Hureau read the legal notice, list of abutters notified, and the legal description of a variance.

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Chris Albert of Jones and Beach Engineers spoke on behalf of the property owner this evening. Property owner Sean Nordin was also present for tonight's hearing. There were no abutters

present. Albert said back in 2002 they were before the ZBA and were granted variances to allow a wetland buffer impact of about 9,000 sf, of which 1,200 is impervious, for a residential home. Tonight they are requesting a variance to allow additional wetland buffer impact of 7,139 sf, of which approximately 1,419 is impervious for a proposed 3,360 sf light industrial commercial building. He said they have been meeting with SFC Engineering, the town's agent for fire protection, and will require a 20 foot wide access way, where a 10 foot wide currently exists. The change in the driveway width, addition of a cistern and fire truck turnaround will result in an increase in impact to the wetland buffer. They will have a rain garden for the roof run-off, saying that was a concern of the Conservation Commission. The building will be a light industrial storage facility.

Albert said they had recommendations from the CC, and the ZBA received a copy of the minutes and a note from CC chairman Rob Wofchuck, asking that the CC recommendations be a condition of granting the variance. Albert said he understands that the CC wants the entire parking area to be pervious, and he is concerned with delivery trucks turning and maneuvering on pervious areas. He said this is a 19 acre piece and the wetland buffer impact is a very small piece of that. Stevens asked if they would agree to do pervious surface on the access way, and Albert said yes. Cowie asked that the CC minutes be read and Hureau read the December 18th CC minutes that related to this proposal. The CC is asking that, as part of the ZBA approvals, they agree to the following:

1. The parking lot and turn around area be capped with a pervious surface.
2. The run-off from the building's roof be managed using low impact devices to treat for water quality and maximize infiltration (e.g. rain gardens).
3. The areas along the existing woods road where the width exceeds 20' be restored and replanted.

Albert said the impacted area in front of the proposed building was approved back in 2002, and they are adding another 1,000 sf to that, along the south side. He said that he understood from his meeting with the CC that they were okay with the previously approved impervious areas and agreed with the rain garden, tree plantings and the fire truck turn and parking along the south side being impervious.

Cowie, also a member of the CC said that there was a strong concern with the CC about run-off, and the more flat surface there is, the more run-off there is, and they want as much pervious area as possible. He said the CC agreed with the roadway, and agreed with the plantings and do not want more flat run-off space. He asked in reality, how often a fire truck would be in that area turning around and the CC would like that area and associated parking to be pervious. Stevens asked if the applicant would go along with pervious in that area, and leaving the originally approved impervious areas, and Cowie said that is what the CC is looking for. Members agreed that the parking lot wording should be changed to parking spaces.

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Having no further discussion, worksheets were given to members, who voted unanimously to grant the variance with the following conditions:

1. The parking spaces and turn around area be capped with a pervious surface.
2. The run-off from the building's roof be managed using low impact devices to treat for water quality and maximize infiltration (e.g. rain gardens).
3. The areas along the existing woods road where the width exceeds 20' be restored and replanted.

The decision granting the variance was signed by Hureau, and a copy given to the applicant, who thanked the Board for their time this evening.

Board Business

Motion made by Artimovich, 2nd by Cowie to approve the July 8, 2013 minutes: all were in favor.

Motion made by Cowie, 2nd by Christiansen to reappoint Artimovich for another three year term as a ZBA member: all were in favor.

Motion made by Hureau, 2nd by Cowie to adjourn at 7:55 pm: all were in favor.

Respectfully Submitted,

Kathy St. Hilaire